GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:434
ANSWERED ON:21.10.2008
PROTECTION FOR PONNI RICE
Bhargav Shri Girdhari Lal

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether a Malaysian retail chain has registered the trade mark 'Ponni' as a superfine variety of rice grown exclusively in the Cauvery delta in Tamil Nadu;

(b) whether the name 'Ponni' that stands for a rice variety grown in Tamil Nadu Cauvery delta, has not been protected by India under the Geographical Indication of Goods;

(c) whether in the year 1997 a US firm had patented Basmati as premium aromatic rice, taking four years for the Indian Government to fight back and reverse the patent; and

(d) if so, the steps being taken by the Government to challenge the Malaysian registration of 'Ponni' as a trademark?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI ASHWANI KUMAR)

(a) to (d): M/s. Syarikat Faiza Sdn Bhd, a Malaysian rice importing agency, has registered 'Ponni' rice as a trade mark under the Malaysian Trade Mark Act. Government of India have taken up the issue with the Government of Malaysia expressing concern and requested them to take appropriate action for expunging the registration of Ponni as a trade mark from the Register.

As per records of the Geographical Indications Registry, no application has been filed in respect of Ponni seeking registration under the Geographical Indications of Goods (Registration and Protection) Act, 1999.

Ricetec Corporation, a United States firm, was granted a patent by United States Patents and Trade Marks Office (USPTO) on 2.9.1997 under patent number US 5663484 entitled "Basmati Rice Lines and Grains" containing 20 claims, inter alia, pertaining to rice lines for aromatic rice and rice grains having characteristics allegedly similar or superior to those of good quality basmati rice. The grant of this patent was opposed by Government of India vide request for re-examination number 90/005/709 dated 28.4.2000 and on re-examination proceedings by USPTO, 15 claims out of the 20 claims were cancelled and title of the said patent was amended to 'Rice Lines BAS 867, RT 1117, and RT 112' vide re-examination certificate issued on 29.1.2002.